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6 Trustee in Bankruptcy

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8 UNITED STATES BANKRUPTCY COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 In re

12 EVANDER FRANK KANE,
13 Debtor.

Case No. 21-50028 SLJ
Chapter 7
Hon. Stephen L. Johnson

**REQUEST FOR ENTRY OF ORDER
AUTHORIZING TRUSTEE TO RESOLVE
DISPUTE CONCERNING BANK
ACCOUNTS AND TO ABANDON
INTEREST IN CANADIAN REAL
PROPERTY**

[No Hearing Requested]

18 Fred Hjelmset, Chapter 7 Trustee in Bankruptcy (“Trustee”) of the estate of the above-
19 named Debtor, respectfully represents:

20 1. On August 30, 2021, the Trustee served on parties on the limited service list¹ a
21 Corrected ² Notice and Opportunity for Hearing on Motion to Resolve Dispute Concerning Bank
22 Accounts and to Abandon Interest in Canadian Real Property (“Notice”) [Docket 208], as evidenced
23 by the Certificate of Service / Declaration of Mailing [Docket 211].

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26 ¹ Notice was limited in this case by an order entered July 30, 2021 entitled “Order Pursuant to Bankruptcy Rule 2002(h)
27 Designating Recipients of Notices Required Under 2002(a),” Docket 194

28 ² The original notice filed and served on August 23, 2021 inadvertently omitted language regarding objection deadlines
pursuant to Local Bankruptcy Rule 9014-1, which language was included in the corrected Notice.

2. On August 23, 2021, the Trustee filed his Motion for Authority to Resolve Dispute Concerning Bank Accounts and Canadian Real Property [Docket 202] and supporting Declaration of Fred Hjelmeset in Support of Motion for Authority to Resolve Dispute Concerning Bank Accounts [Docket 202-1], attached to which as Exhibit A was the “Agreement Concerning Bank Accounts and Canadian Real Property” (“Agreement”) that the Trustee entered into, subject to Court approval, with the Debtor.

3. The time period within which to file objections or requests for hearing has passed.

4. Except as set forth in the Kleiner Declaration, this office has not received any objections or requests for hearing, and no objections or requests for hearing with regard to the relief requested has been filed.

WHEREFORE, the Trustee requests the entry of an Order authorizing him to enter into the Agreement with the Debtor, by which the Trustee shall: (i) retain the sum of \$16,250 that the Debtor has paid to the estate to resolve a dispute between the Trustee and the Debtor with regard to the estate's interest in certain bank accounts scheduled in the Debtor's bankruptcy case, and (ii) the estate will relinquish its interest in two homes in Canada.

DATED: September 21, 2021 RINCON LAW LLP

By: /s/ Gregg S. Kleiner
GREGG S. KLEINER
Counsel for FRED HJELMESET,
Trustee in Bankruptcy